

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

MIKE ALFONS CAMPA,

Defendant/Movant.

Cause No. CR 12-65-GF-BMM

ORDER DENYING
RULE 59 MOTION AND DENYING
CERTIFICATE OF APPEALABILITY

On June 6, 2016, the Court denied Defendant/Movant Campa's motion to vacate, set aside, or correct the sentence under 28 U.S.C. § 2255. A certificate of appealability was also denied.

On June 21, 2016, Campa filed a motion to amend or alter the judgment under Fed. R. Civ. P. 59(e). Relief under Rule 59 is an "extraordinary remedy" that should be "used sparingly." *McDowell v. Calderon*, 197 F.3d 1253, 1255 n.1 (9th Cir. 1999) (en banc). A litigant's disagreement with a decision or view of the facts underlying it is not included among the few circumstances supporting relief under Rule 59. *See, e.g., Allstate Ins. Co. v. Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011). Disagreement is all Campa's motion offers.

Accordingly, IT IS HEREBY ORDERED that Campa's motion under Rule 59(e) (Doc. 631) is DENIED. A certificate of appealability is DENIED because

reasonable jurists would agree that the motion does not meet the standards of Rule 59(e).

DATED this 27th day of July, 2016.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris
United States District Court Judge